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April 25, 2023

Via ECF

Hon. Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, N.Y. 10007

Application granted.

SO ORDERED.



Ronnie Abrams, U.S.D.J.
April 26, 2023

Re: *United States v. Shmuel Abraham, 20-cr-411-RA*

Dear Judge Abrams:

We write to respectfully request permission for Shmuel Abraham to travel to Israel from May 2 to May 11 to celebrate there the Jewish holiday of *Lag B'Omer*.

As Your honor is aware, Mr. Abraham and the government recently reached an agreement, in principle, on a plea deal and are in the process of finalizing the plea agreement. Dkt. # 121. In light of Mr. Abraham's upcoming sentencing, Mr. Abraham would like to travel to Israel for an important religious observance that will provide him with significant religious succor at this difficult time in his life.

Lag B'Omer is a Jewish holiday, of particular mystical significance. See https://en.m.wikipedia.org/wiki/Lag_BaOmer. To celebrate the holiday, many Orthodox Jews travel to the city of Miron, in Northern Israel, which is the burial place of a celebrated 2nd Century rabbi, Rabbi Shimon bar Yochai, whose life is commemorated on the holiday of *Lag B'Omer*.

This year *Lag B'Omer* falls on May 8-9. Mr. Abraham requests permission to fly to Israel the week before the holiday and return two days after the holiday.

If granted permission, Mr. Abraham would provide probation with a full itinerary of his trip. I have spoken to Mr. Abraham's pre-trial officer, who takes no position on this request, and the assigned AUSA, who opposes this request.

We note that Your Honor has, in this case, already granted Shmuel Abraham permission to travel overseas, and he has returned without incident. See Dkt. # 56 (granting Shmuel Abraham permission to travel to Ukraine). Similarly, Your Honor also granted permission for one of the other Abraham defendants to travel abroad, who also returned without incident. See Dkt. 43.

Moreover, courts in this district have granted similar requests for international travel both to participate in religious observances and for other reasons. *See, e.g., United States v. Yakov Ausch*, 22-cr-05 (JSR) (granting permission to travel to Hungary and Poland as part of a religious pilgrimage to certain synagogues and gravesites); *United States v. Kubitschuk*, 16-cr-711 (KBW), Dkt. # 37 (permitting travel to Austria and Slovakia to pray at gravesite of Rabbi Yehuda Assad); *United States v. Smilovitz*, 16-cr-818 (VB), Dkt. # 144 (permitting travel to Uman, Ukraine to make the pilgrimage to the grave of Rabbi Nachman of Breslov for *Rosh Hashana*); *United States v. Galanis*, 16-cr-371 (RA), Dkt. # 62 (S.D.N.Y.) (granting over government objection permission for the defendant to travel to Latvia with his wife for business purposes); *United States v Rimberg*, 15-cr-835 (JGK), Dkt. # 68 (S.D.N.Y.) (permitting defendant to travel after guilty plea along with his wife to Israel for business and to France for Passover).

Mr. Abraham poses no flight risk. He has willingly negotiated a plea agreement with the government and looks forward to moving forward with his (young) life after he is sentenced. In addition, his wife and child will be remaining in the United States. We respectfully submit that there is no risk he would abandon his wife, child, extended family, and the only life he has ever known.

We therefore respectfully request that this Court so-order this letter motion and grant Mr. Abraham permission to travel to Israel from May 2–11.

Respectfully,

/s/

Gedalia M. Stern

Cc: Jilan Kamal (via ECF)